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Appl. No.: 10/771,902
Amdt. Dated: 08/11/2006
Off. Act. Dated: 05/11/2006

REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested in view of the foregoing amendments and discussion presented herein.

1. Conversation with Examiner on 08.11.06.

Applicant's counsel thanks Examiner for the opportunity to discuss claim wording with regard to the phrasing of "content types" within the pending claims and Examiner suggestions which were instructive on differentiating over the Baron reference.

2. Rejection of Claims 1-5 and 21-28 under 35 U.S.C. § 102(b).

Claims 1-5 and 21-28 were rejected under 35 U.S.C. § 102(b) as being anticipated by Baron (U.S. Patent No. 6,549,388).

Claims 1, 21 and 28. Independent Claims 1, 21 and 28 have been amended toward bringing out with more particularity the distinction of the "content types" within the instant application, which describes categories, types, kinds of photo content that the user has expressed an interest in, this interest being stored as content types within the user profile.

The Baron reference teaches that the information retrieved from the data base for the photo opportunities is a list based on location from which the user can preview photos taken by other users at those locations to determine if the site is worth visiting. This nature of the Baron reference is seen in Column 7, lines 54-67.

"According to the embodiment, the type of information provided by database 300 (or 20) to display 12 includes information to aid a user in selecting a nearby site for visiting, and navigational information for guiding the user to a preferred photo-spot for capturing a preferred view of the site. For example, according to one embodiment, using command keys 42, the user is able to scroll through a list of nearby sites on display 12 and select a site to preview. The preview includes photographs of the site which have been added to the database by previous users or by this user at a previous time, to allow the user to determine if the site is worth visiting are to allow the user to see if this scene is different from his/her last picture. If the user keys in a desire to visit the site, navigational information to the site is provided."

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A number of things are seen from the above. Baron speaks of what "type" of information is supplied by the database. This information is described in detail as being "a list of nearby sites", to which the user can preview photographs of the location (site) to determine if it is worth visiting. Baron does not teach generating photo opportunity suggestions based on content types, and more particularly on matching of the content types specified in the user profile with the content type of the photo opportunity. Wherein the content type in Applicant claims specifies the category, or kind, of photo opportunity in which the user is interested.

The Baron reference thus utilizes different criterion as the basis for listing sites from which the user can select a photo opportunity. Accordingly, the Baron reference does not comport to that which is recited by the amended claims.

Therefore, Applicant respectfully requests that the rejection of Claims 1, 21 and 28 and the claims which depend therefrom, be withdrawn.

3. Rejection of Claims 3, 6, 8, 10-16 and 19-20 under 35 U.S.C. § 103(a).

Claims 3, 6, 8, 10-16 and 19-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Baron (U.S. Patent No. 6,549,388) in view of Wall et al. (U.S. Patent No. 6,731,239).

Claims 10-11. Claims 10-11 are the independent claims within the above group of claims, which have been amended to more clearly distinguish over the Baron reference.

In support of this rejection the teaching found in the Baron reference at column 7, lines 54-67 (refer to section 2 above for text) was used to support that the content types recited in applicant claims were not distinguished from that of Baron. The amendment of Claims 10-11 more clearly distinguishes over the Baron reference.

The Baron reference teaches that the information retrieved from the data base for the photo opportunities is a list of nearby sites (locations) from which the user can preview photos taken by other users at those locations to determine if the site is worth visiting, and make a selection.

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Claims 10-11 of the instant application now recite that the content types are *"classified under a number of content type categories"* and that the *"content type specifies the category, or kind, of photo opportunity in which the user is interested"*. The *"content type"* described in the claims thus is clearly distinct from types of information retrieved from the database of Baron which does not store categories of content type that the user is interested.

In addition, the description of how the suggestions are generated in the amended claims describes the *"matching of the content type for prospective photo opportunities with the content types within said user profile expressing user interests"*. It should be appreciated that no such element is discussed by Baron or Wall, there is no limitation on the photo opportunities based on the categories of image content, as recited herein.

Neither the Baron or Wall reference provides for saving in the user profile categories of content type that the user has expressed an interest, and neither teach the transmitting suggestions in response to matching the category of content type of the photo opportunities to be suggested with the content types specified in the user profile.

Therefore, Applicant respectfully requests that the rejection of Claims 10-11, and the claims which depend therefrom, be withdrawn.

4. Amendments to Claims 1, 2, 10, 11, 21, and 28.

Claim 1, 10, 11, 21 and 28. Independent Claims 1, 10, 11, 21 and 28 were amended to clarify the description of *"content types"*.

The content types are described as being *"selected from a number of content type categories"*, and that *"said content type specifies the category, or kind, of photo opportunity in which the user is interested"*. Support for these aspects is found throughout the specification, such as at page 6, lines 5-6; page 13, lines 6-10; page 14, lines 16-19; page 15, lines 10-20 and so forth.

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Identifying suggestions in the amended claims is described in response to a "matching" process between the content types of interest as defined in the user profile and the available photo opportunities. Support for this aspect is found in original Claims 7 and 9, as well in the specification, such as page 14, lines 7-19; page 18 line 22 through page 19, line 3, and so forth.

Claim 2. Dependent Claim 2 has been amended to describe the use of subsets of the general categories of content types. Support for this aspect is found in the specification, including page 13, lines 1-10.

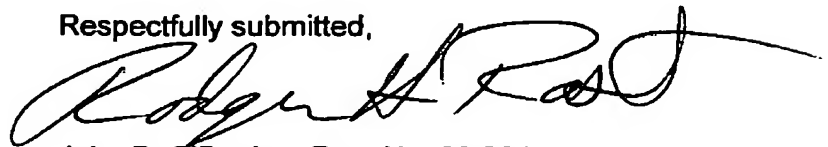
5. Conclusion.

Based on the foregoing, Applicant respectfully requests that the various grounds for rejection in the Office Action be reconsidered and withdrawn with respect to the amendments and arguments presented herein, and that a Notice of Allowance be issued for the present Application to pass to issuance.

In the event any further matters remain at issue with respect to the present Application, Applicant respectfully requests that the Examiner please contact the undersigned below at the telephone number indicated in order to discuss such matters prior to the next action on the merits of this Application.

Date: August 11, 2006

Respectfully submitted,



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